2057.

SUPREME COURT OF THE UNITED STATES.

No. 175.

ISAAC LARMAN, PLAINTIFF IN ERROR,

vs.

JAMES TISDALE'S HEIRS.

IN ERROR TO THE CIRCUIT COURT, UNITED STATES, FOR THE DISTRICT OF WEST TENNESSEE.

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[GIDEON, Print.]

UNITED STATES OF AMERICA, *sct.*

Pleas, at a circuit court of the United States of America, in the eighth circuit, at a term thereof, begun and held at the court-house in the town of Jackson, for the district of West Tennessee, on the second Monday in the month of October, in the year one thousand eight hundred and forty-nine.

Present, and holding said court, the honorable John Catron, an associate justice of the Supreme Court of the United States, and presiding in said eighth circuit.

Be it remembered, that on the 27th day of June, 1848, John Doe, lessee of James Tisdale and others, by attorney, filed the following declaration in the clerk's office of said court.

Declaration.

UNITED STATES OF AMERICA,
District of West Tennessee.

John Den, a citizen of the State of Massachusetts, by attorney, complains of Richard Fen, a citizen of the State of Tennessee, of a plea of trespass with force and arms.

For that, whereas James Tisdale, Barney Tisdale, Mariah Tisdale, Daniel Tisdale, Mary J. Horton, Samuel D. Horton, Abigail M. Horton, Elleanor Horton, Elizabeth W. Horton, Martha Horton, Deborah Horton, Barney E. Tisdale, Mariah Tisdale, and Simeon Tisdale, heirs of James Tisdale, deceased, on the 10th day of June, 1848, at the district aforesaid, had demised and to farm let a certain tract or parcel of land lying in Obion county, State of Tennessee, to the said John Den, with the appurtenances thereto belonging, containing eight hundred and one-fourth acres, for the term of ten years then next ensuing, to be fully completed and ended; beginning on an ash and elm, the southeast corner of grant No. 24,691, to Tisdale's heirs and Wheaton; thence west 3,752 poles to a stake, the corner of Wheaton's division of said grant; thence north, 341 poles, to a stake in the north boundary of the original survey of said grant; thence east, 3,752 poles, to the northeast corner of the original grant; thence south 341 poles to the beginning.

By virtue of said demise, the said John Den entered into, and was possessed of said premises; and afterwards, on the 28th June, 1848, the said Richard Fen, with force and arms, broke and entered said close, and ejected and drove out him, the said John, from his said farm, against the peace and dignity of the State, and to the damage of the said John five hundred dollars; and therefore he sues, &c.

G. W. GIBBS,
For plaintiffs.

To Messrs. Isaac Larman, James Turner, Margaret Babb, James Clark, Joshua Tipton, and Robert B. Wilson.

Take notice, that I am sued as casual ejector for the tract of land described in the within declaration of ejectment, and having been informed that you claim title thereto, or a part thereof, and I having no claim or title to the same, do advise you to appear at the court-house in Jackson, on the second Monday of October next, before the circuit court of the United States for the district of West Tennessee, and by a rule of said court, cause yourselves to be made defendants in my room and stead, otherwise I shall suffer judgment to be entered against me by default, and you will be turned out of possession.

RICHARD FEN.

And afterwards, at the October term, 1848, of said court, to wit, on Tuesday, the second day of said term, the following proceedings are recorded:

LESSEE OF JAMES TISDALE et al.,
vs.
RICHARD FEN.

Upon application of Isaac Larman, he is admitted defendant in the room and stead of the casual ejector, and of James Turner, Margaret Babb, James Clark, Joshua Tipton, and Robert B. Wilson the tenants in possession, upon his agreeing to enter into the common rule, to admit lease, entry, and ouster, to plead not guilty, and upon the trial to rely upon the title only.

And thereupon James Davis came into court, and acknowledged himself the surety of the said defendant, in the penalty of five hundred dollars, to be void on condition the said Larman doth defend his suit successfully, or pay all costs and charges incident thereto upon conviction.

And thereupon the defendant filed the following:

Plea.

And the said defendant, Isaac Larman, also is admitted to defend for himself, and in the room and stead of the other defendants, the force and injury, &c., and for plea says, he is not guilty of the trespass and ejectment in the declaration mentioned, and of this he puts himself on the country.

BROWN & TOTTEN, *Att'ys.*
DAVIS, *Attorney.*

And plaintiffs do the like.

G. W. GIBBS, *Att'y for plff's.*

Verdict.

And afterwards, to wit, on Friday the 12th day of October, 1849, and the term of said court first herein aforesaid, the following judgment was rendered:

JAMES TISDALE, BARNEY TISDALE, Mariah Tisdale, Daniel Tisdale, Mary J. Horton, Samuel D. Horton, Abigail M. Horton, Elleanor Horton, Elizabeth W. Horton, Martha Horton, Deborah Horton, Henry E. Tisdale, and Simeon Tisdale, heirs of James Tisdale, deceased, plff's,
against
ISAAC LARMAN, defendant.

The parties by their attorneys appear; and thereupon came a jury of good and lawful men, to wit, Robert C. Campbell, McKinney Irions, John C. Yarbro, Peter A. Walker, Andrew H. Guthrie, Amos Williams, William F. Kizer, James A. W. Hess, Robert B. Hurt, David B. Funderburke, Daniel Stockton, and William Cason, who being elected, tried, and sworn, well and truly to try the issues between the parties, on their oaths do say, that the defendant is guilty of the trespass and ejectment in the declaration mentioned, and in manner and form as the plaintiffs, in their declaration have alleged; and they assess the plaintiffs' damages, by reason of the premises, to one cent.

It is therefore considered by the court, that the plaintiffs recover of the defendant their term yet to come of and in the lands and tenements, with the appurtenances, in the declaration mentioned; and that they have thereof their writ of possession.

And it is further considered by the court, that the plaintiffs recover of the defendant their damages by the jury in form aforesaid assessed, and their costs by them about their suit in this behalf expended; and that they have their execution.

Motion for writ of error.

And afterwards, on Monday, the 15th day of October, 1849, and during the term of the court as aforesaid, the following proceedings are of record:

HEIRS OF JAMES TISDALE, plaintiffs,
and
ISAAC LARMAN, defendant.

The parties by their attorneys appear; and thereupon the defendant moves the court for a writ of error to the Supreme Court of the United States, to be held at Washington city on the 1st Monday in December next; which is allowed by the court.

And thereupon the defendant presents his bill of exceptions, and prays the court that the same may be signed and sealed, which is done accordingly.

And the defendant executes bond with security, conditioned as the law directs; which is approved by the court.

And no citation is required, both parties being present in court, and waive the same.

Appeal Bond.

UNITED STATES OF AMERICA,
District of West Tennessee, sct.

Know all men by these presents, that we, Isaac Larman and James Davis, both of said district, are held and firmly bound unto James Tisdale, Barney Tisdale, Mariah Tisdale, Daniel Tisdale, Mary Jane Horton, Samuel D. Horton, Abigail M. Horton, Ellenor Horton, Elizabeth W. Horton, Martha Horton, Deborah Horton, Henry E. Tisdale, and Simeon Tisdale, who are the heirs of James Tisdale, deceased, in the penal sum of two hundred dollars; for the payment whereof, well and truly to be made, we bind ourselves, our heirs, &c., jointly and severally, firmly by these presents. Sealed with our seals, and dated this 13th day of October, 1849.

The condition of the foregoing obligation is such, whereas the above named heirs of James Tisdale, deceased, at a circuit court of the United States for the district of West Tennessee, at a term thereof begun and held at Jackson, on the 2d Monday in October, 1849, as plaintiffs, did obtain a judgment in ejectment against the said Isaac Larman; from which judgment the said Larman has prayed and obtained an appeal to the Supreme Court of the United States, to be held at Washington city, in the District of Columbia, in the month of December next.

Now, if the said Larman shall prosecute his appeal with effect, or, in case of failure therein, shall stand to, abide by, and perform the judgment, sentence, and decree of said Supreme Court in the premises, then the foregoing obligation to be void; otherwise to remain in full force and effect.

ISAAC LARMAN, [SEAL.]
JAMES DAVIS. [SEAL.]

Executed in my presence, the 13th day of October, 1849.

JAS. L. TALBOT,
Clerk, &c.

Bill of Exceptions.

HEIRS OF JAMES TISDALE, deceased,
vs.
ISAAC LARMAN.

Circuit court of the United States, held at Jackson, in the district of West Tennessee, October term, 1849.

Be it remembered, that on the trial of this cause, the following evidence was introduced to the jury.

1st. A grant to Wheaton and Tisdale, for 2000 acres of land, dated May 4, 1826, which is marked exhibit (A,) and made part of this bill

of exceptions; and is that under which plaintiffs claim title to the land in question.

2d. A grant to Edward Thursby, dated 21st June, 1825, for 1900 acres; which is marked (B,) and made part of this bill of exceptions, and is that under which defendant claims title to the land in question.

3d. A certified and authenticated copy of the general plan of the district and county of Obion, including the two foregoing grants as there laid down, and the tracts adjacent thereto; which is marked as exhibit (C,) and also made a part of this bill of exceptions.

Copies of the entries and surveys of the tract of 50 acres in the name of C. H. Marr; and the tract of 320, 214, and 200 acres in the name of G. W. L. Marr, as laid down on said plan, are also introduced, and have made parts of this bill of exceptions, as exhibits D, E, F, G, H, I, K, and L.

Copies of the entry and survey, on which the foregoing grant to Edward Thursby was founded, were also introduced, and made part of this bill of exceptions, as exhibits M and N.

Also copies of the Joseph Kerr entry, survey, and grants, marked O, P, and Q, and made parts of this bill of exceptions.

Watson, a witness for the plaintiffs, stated that he had examined carefully for the beginning corner of the Thursby grant; that, at the point called for in the entry and grant of Edward Thursby on the east boundary of the G. W. L. Marr 320 acre tract, he could find no marked beginning corner; nor did he find any line running east from that point, as called for in said entry and grant; but that he found a hickory, marked as called for in the grant, about midway of the east boundary of the G. W. L. Marr 214 acre entry and survey, above described; that the place where this hickory stood was about one hundred and forty (140) poles south, and about eighty poles (80) west, of the point called for in said Thursby's entry and grant, and as laid down on the plan; that he run from this hickory east, and then south, and then west, the distances called for in Thursby's grant; and found at the northeastern corner an ash, marked J. C., and at the southeastern corner a large sweet gum, marked J. C., as called for in the Thursby grant; that the marks on these lines and corners, he thought, were about the age to correspond with the time of the survey of said Thursby entry; that he did not find a marked corner at the southwestern corner; nor did he run the western line; but that the lines and corners which he did run and find, seemed to correspond with the corresponding calls in the Thursby grant; that these marked lines and corners would not include the point on the eastern boundary of Marr's 320 acre tract, as called for in the Thursby entry and grant; nor would they, at any point, reach within less than one hundred and forty (140) poles of it. That he found the 50 acre tract, the 320 acre tract, the 214 acre tract, and the 200 acre tract, above referred to, surveyed and marked by corners and lines as called for in their several entries and surveys, and as laid down on the plan. That if the Thursby grant was surveyed out by a line beginning fifty-six (56) poles north of the southeast corner of

the G. W. L. Marr 320 acre tract, as called for in the entry and grant, and running east, as called for, that the land in controversy would lie within the bounds of the Thursby grant; but that, if the hickory tree, which he had described standing on the east boundary of the G. W. L. Marr 214 acre grant, should be deemed the true beginning, and the first line run east from them, that the land in question would be north of that line, and consequently fall into the bounds of the Wheaton and Tisdale grant.

It was admitted by the parties, that if the land in controversy was within the true bounds of the Wheaton and Tisdale grant, that the plaintiffs were entitled to a verdict; but that if it was within the true bounds of the Edward Thursby grant, that the defendant was entitled to a verdict. It was admitted that the land lay in Obion county; that the defendant was in possession; and that the value thereof was more than two thousand dollars, exclusive of costs.

The survey and entry of Edward Harris, numbered 1 and 2; the survey and entry of Wheaton & Tisdale, numbered 3 and 4; the survey and entry of Marr and Bryant, numbered 5 and 6; the entry and survey of McLemore and Vaulx, numbered 7 and 8; the survey and entry of McLemore & Hopkins, numbered 9 and 10; the entry and survey of Currin & Co., numbered 11 and 12; entry and survey of McLemore and Lytle, numbered 13 and 14, are set out and made a part of this bill of exceptions.

It was also proved that, to run out Wheaton & Tisdale's entry, as called for by it, it would lap on the north on Currin's survey, ninety-two (92) poles; and that the eastern boundary of Wheaton & Tisdale's grant, as surveyed, was seven hundred and forty-three (743) poles long, from Currin's southern line to Thursby's northern line, at the ash corner.

These were all the facts material to be set out.

The court charged the jury, that in coming to their conclusion as to the true location of the Edward Thursby grant, they must be governed by the corners and lines made and marked by John Charlton, the surveyor, when he made the survey. That the marked lines and corners would govern, though it fixed the land at a place entirely different from where it was entered. That if, in making the survey, he did, either by mistake or design, mark the hickory on the east boundary of the 214 acre tract, as a beginning, and run from there, instead of making his beginning on the east boundary of the 320 acre tract, 56 poles north of its southeast corner, called for in the entry and grant, the survey so made must govern, though it fixed the beginning at a place different from that designated in the entry and grant; that the marked corners and lines must govern; and the call for the beginning on the 320 acre entry must be disregarded by the jury.

To which charge of the court the defendant, by his counsel, excepts, and prays his exception may be signed and sealed by the court; which is accordingly done.

JOHN CATRON. [SEAL.]

Exhibit A.

Grant to Wheaton & Tisdale.—No. 24,891.

THE STATE OF TENNESSEE, *Sept.* 15, 1826.

To all to whom these presents shall come, greeting:

Know ye, that by virtue of warrant No. —, dated the 14th day of April, 1791, issued to Thomas Evans, a major in the battal-
[L. S.] ion of troops raised pursuant to an act of the general assembly of the State of North Carolina for the protection of the inhabitants of Davidson county, for 2,000 acres, and entered, on the 26th day of May, 1821, by No. 420, there is granted by the said State of Tennessee unto Wheaton & Tisdale, assignees of the said Thomas Evans, a certain tract or parcel of land containing two thousand acres, by survey bearing date the 13th day of November, 1824, lying in the 13th district in Obion county, in the Mississippi bottom, range 9, section 8, and bounded as follows, to wit: Beginning at an ash and small elm, the northeast corner of George W. L. Marr's 320 acre survey, on the south boundary of C. H. R. Marr's 50 acre survey; thence east, with his line, seventy-eight poles, to a stake, his corner; thence north, with his line, sixty poles, to a sweet gum, marked M. V., McLemore & Vaulx's southwest corner; thence east with their line, three hundred and sixty poles, to a sweet gum, their southeast corner; thence north, with their east boundary line, two hundred and ninety-six and nine-tenth poles, to two elms on the south boundary of McLemore & Hopkins' 1148 acre survey; thence east, three poles, to a hackberry and elm, their southeast corner; thence north, with their line, one hundred and two poles, to a stake, Jonathan Currin & Co.'s corner; thence east, with said Currin's line, two hundred and thirty-five poles, to a stake; thence south, seven hundred and forty-three poles, to an ash marked J. C., and an elm on the north boundary of Edward Thursby's 1900 acre survey; thence west, with his line, six hundred and seventy-three poles, to a hickory, marked J. C., his northwest corner, on the east boundary of G. W. L. Marr's 320 acre survey; thence north, with his line, two hundred and eighty-four poles, to the beginning, with the hereditaments and appurtenances.

To have and to hold the said tract or parcel of land, with its appurtenances, to the said Wheaton & Tisdale and their heirs forever.

In witness whereof William Carroll, governor of the State of Tennessee, hath hereunto set his hand and caused the great seal of the State to be affixed, at Nashville, on the 4th day of May, in the year of our Lord one thousand eight hundred and twenty-six, and of the independence of the United States the fiftieth.

By the Governor, WM. CARROLL.

DANIEL GRAHAM, *Secretary.*

Exhibit B.

Grant to Edward Thursby.—No. 23,770.

STATE OF TENNESSEE.

To all to whom these presents shall come, greeting:

Know ye, that by virtue of certificate No. 1,936, dated the 20th day of October, 1820, issued by the board of commissioners for [L. S.] West Tennessee, to Edward Thursby for 1,900 acres, and entered, on the 26th day of May, 1821, by No. 419, there is granted by the State of Tennessee to Edward Thursby and his heirs a certain tract or parcel of land, containing one thousand nine hundred acres, by survey bearing date the 28th day of November, 1824, lying in the 13th district, in Obion county, in the Mississippi bottom, range 9, section 8, and bounded as follows, to wit: Beginning at a hickory marked J. C., on the east boundary of George W. L. Marr's 320 acre survey, fifty-six poles north from his southeast corner; running thence east, seven hundred and seventy-nine poles, to an ash marked J. C.; thence south, three hundred and ninety and five-tenth poles, to a large sweet gum marked J. C.; thence west, seven hundred and seventy-nine poles, to a stake; thence north, three hundred and ninety and five-tenth poles, to the beginning, with the hereditaments and appurtenances.

To have and to hold the said tract or parcel of land, with its appurtenances, to the said Edward Thursby and his heirs forever.

In witness whereof, William Carroll, governor of the said State of Tennessee, hath hereunto set his hand and caused the great seal of the State to be affixed, at Murfreesboro', on the 21st day of June, in the year of our Lord one thousand eight hundred and twenty-five, and of the independence of the United States the forty-eighth.

By the Governor, WM. CARROLL.

DANIEL GRAHAM, *Secretary.*

Recorded in the register's office of West Tennessee, June the 21st, 1825.

F. McGAVOCK, *D. Register.*

Edward Thursby is entitled to the within mentioned tract of land.

F. McGAVOCK,
D. Register of West Tennessee.

Exhibit C.

General plan of the 13 surveyor's district and Obion county.

[For map, see original, p. 11.]

STATE OF TENNESSEE,
Obion county.

I certify that the annexed map is a true copy from the original plan

of Obion county, so far as the same relates to the entries herein named.

Witness my hand at office in Troy, Oct. 6th, 1848.

S. W. COCHRAN,
Entry taker of Obion county.

Exhibit D.

C. H. P. Marr, entry, No. 398, 50 acres. Scale, 80 poles per inch.

STATE OF TENNESSEE,
13th district.

By virtue of entry No. 398, dated the 16th of May, 1821, and founded on certificate No. 2,773, issued by the register of West Tennessee to Samuel Johnson, for 50 acres, I have surveyed for Constant H. P. Marr, assignee originally of Samuel Johnson, fifty acres of land in said district, on the Mississippi river, beginning on a small hickory on the bank of said river, the northwest corner of George W. L. Marr's 320 acre survey, and running thence east ninety poles to a stake, about twenty-two (22) feet from a black oak and elm pointers, and ten (10) feet from a hickory pointer, all marked XV; then north, one hundred and forty poles, to a small ash, with a large sycamore pointer, marked XV; then west, twenty-five and one-seventh poles, to two ashes and a red oak, on the river bank; then down the river as it meanders, south 24½° west, one hundred and fifty five poles, to the beginning.

Surveyed 19th May, 1821.

EPH. B. DAVIDSON, *D. S.*

CHRIST. C. DAVIDSON and GEORGE DUNCAN. } *s. c c.*

Exhibit E.

Geo. W. L. Marr's entry, No. 397, 320 acres. Scale 200 poles per inch.

STATE OF TENNESSEE,
Thirteenth district.

By virtue of entry No. 397, dated the 16th day of May, 1821, founded on certificate warrant No. 1031, issued by the commissioners of West Tennessee for 320 acres, dated the 10th July, 1817, I have surveyed for George W. L. Marr, assignee originally of John C. McLemore, Jesse Beackfaw, and Mathew Barrow, three hundred and twenty acres of land in the thirteenth district, on the Mississippi river, beginning at an ash, on the bank of said river, the northeast corner of said Marr's 200 acre survey; running thence east, three hundred and seventy-four poles, to two small honey locusts, marked XV; thence north, three hundred and forty poles, to an ash and small elm, marked XV; thence west, twelve poles, to a small hickory on the bank of the river; thence down the river, as it meanders south 32° west, one hundred and seventy poles; thence south 46½° west, with said meanders, one hun-

dred and sixty poles; thence with said meanders, south 62° west, one hundred and seventy-five poles, to the beginning.

Surveyed 18th May, 1821.

EPH. B. DAVIDSON,
D. Surveyor.

CHRIST. C. DAVIDSON and GEORGE DUNCAN. } *s. c c.*

Exhibit F.

Geo. W. L. Marr's entry, No. 401, 214 acres. Scale, 200 poles per inch.

STATE OF TENNESSEE,
Thirteenth district.

By virtue of entry No. 401, dated 16th day of May, 1821, founded on certificate warrant No. 1549, issued by the board of commissioners for West Tennessee to Sherrard Green, for 214 acres, and dated the 19th September, 1820, I have surveyed for George W. L. Marr, assignee originally of Sherrard Green, two hundred and fourteen acres of land in said district, on the Mississippi river, and county of Stuart; beginning at a point eighty-three poles south of the southeast corner of said Marr's 22 acre survey; running thence west, one hundred and sixty-six poles, to a mulberry, marked XV, on the east boundary of said Marr's 200 acre survey; thence north with the same, eighty-three poles, to a stake, one pole south of a sweet gum pointer, marked XV, the southwest corner of said Marr's 57¾ acre survey; then with the same east, one hundred and sixty-six poles, to a box elder, marked XV, the southeast corner of said Marr's 22 acre survey; thence north seventy-seven poles, to a small hackberry and elm, the northeast corner of said survey; thence east, one hundred and twenty-seven poles, to two sweet gums marked XV, on the south boundary of said Marr's 320 acre survey; thence south, one hundred and sixty poles, to a sweet gum and walnut, standing close together, and marked XV; thence west, one hundred and twenty-seven poles, to the beginning.

Surveyed 19th May, 1821.

EPH. B. DAVIDSON,
D. Surveyor.

CHRIST. C. DAVIDSON and GEORGE DUNCAN. } *s. c c.*

Exhibit G.

Geo. W. L. Marr's entry, No. 396, 200 acres. Scale of 200 poles per inch.

STATE OF TENNESSEE,
Thirteenth district.

By virtue of entry No. 396, dated the 16th day of May, 1821,

founded on certificate warrant No. 2,575, for 200 acres, issued by the register of West Tennessee to William Lyttle, I have surveyed for George W. L. Marr, assignee originally of William Lyttle, two hundred acres of land in the thirteenth district, on the Mississippi river, beginning at an ash and elm, marked XV, on the bank of said river, one mile north of the 7th section, and ten miles three hundred and six poles west of the 7th range; running thence east, three hundred and forty poles, to a small box elder with a black oak, walnut, and sweet gum pointers; then north, one hundred and eighty-eight poles and one fourth, to an ash on the river bank; then down the river with its meanders, south 61° west, three hundred and ninety poles, to the beginning.

Surveyed 18th May, 1821.

EPH. B. DAVIDSON,
D. Surveyor.

CHRIST. C. DAVIDSON, and GEORGE DUNCAN. } *s. c c.*

☞ Exhibits H, I, K, and L, referred to in the bill of exceptions as the entries on which the surveys of the 50, 320, 214, and 200 acre tracts, in the names of the Marrs, are not filed by counsel, and in consequence are here omitted.

JAS. L. TALBOT, *Clerk, &c.*

Exhibit M.—No. 419.

Edward Thursby, by virtue of certificate warrant, No. 1936, issued by the Board of Commissioners of West Tennessee, for 1900 acres, enters nineteen hundred acres of land in the 13th district, in the Mississippi bottom; beginning on the east boundary of George W. L. Marr's 320 acre survey, fifty-six poles north of his southeast corner, running east seven hundred and seventy-nine poles; then south, &c., for complement.

May 26th, 1821.

McLEMORE & VAULX, *Locators.*

Exhibit N.—No. 550.

Scale 400 poles.

STATE OF TENNESSEE,
Thirteenth district.

By virtue of an entry, No. 419, dated 26th May, 1821, founded on certificate warrant, No. 1936, for 1900 acres, I have surveyed for Edward Thursby, one thousand nine hundred acres of land, situate in Obion county, in the Mississippi bottom, range 9 and section 8; beginning on a hickory marked I. C., on the east boundary of George W. L. Marr's 320 acre survey, fifty-six poles north from his southeast corner; running thence east, seven hundred and seventy-nine poles, to an

as hmarked I. C.; thence south, three hundred and ninety and five-tenth poles, to a large sweet gum marked I. C.; thence west, seven hundred and seventy-nine poles, to a stake; thence north, three hundred and ninety and five tenth poles, to the beginning.

Surveyed, November 28th, 1824.

JOHN CHARLTON,
Deputy Surveyor.

WILLIAM B. SORRELLS, and JAMES WARD. } *s. c. c.*

Exhibit O.—No. 442.

Joseph Kerr, by virtue of certificate No. 93, issued by the commissioners of West Tennessee, for 1,854 acres, enters the same in the 13th district, on the east side of the Mississippi river; beginning at the southeast corner of G. W. L. Marr's 320 acre survey, on said river, and runs west with the same, about eighty-five poles, to the east boundary of his 214 acre survey; thence south, with the east boundary of said entry, to his southeast corner; thence west, with his south boundary, to the east boundary of G. W. L. Marr's 200 acre survey; thence south, with the east boundary of the same, to his southeast corner; thence west, with the south boundary of the same, about three hundred and sixty poles, to the Mississippi river; thence south, &c., for complement.

June 11th, 1821.

DAVID GILLISPIE, *Loc.*

Exhibit P.—No. 561.

Scale 400 poles.

STATE OF TENNESSEE,
Thirteenth district.

By virtue of an entry, No. 442, dated June 11th, 1821, founded on certificate warrant No. 93, for 1854 acres, I have surveyed for Joseph Kerr, one thousand eight hundred and fifty-four acres of land, situate in Obion county, on the Mississippi river; beginning on two small honey locusts, marked XV, the southeast corner of George W. L. Marr's 320 acre survey; thence west, with his line, eighty-one poles, to two sweet gums, marked XV, the southeast corner of said Marr's 214 acre survey; thence south, one hundred and sixty poles, to a sweet gum and walnut, marked XV, the southeast corner of said survey; thence west, with said Marr's south boundary, two hundred and ninety-three poles, to a mulberry marked XV, on the east boundary of said Marr's 200 acre survey; thence south, twenty-eight and a fourth poles, to a small box elder, with a black oak, walnut, and sweet gum pointers, the south east corner of said 200 acre survey; thence west, three hundred and forty poles, to an ash and elm, marked XV, the southwest

corner of said survey, on the bank of the Mississippi river; thence south, two hundred eighty and a half poles, to a sweet gum, marked I. C., cotton wood and hackberry; thence east, seven hundred and fourteen poles, to a stake; thence north, five hundred seventy and three-fourth poles, to the beginning.

Surveyed, November 15th, 1824.

JOHN CHARLTON,
Deputy Surveyor.

WILLIAM B. SORRELLS and STEPHEN N. LINDSAY. } *s. c. c.*

Exhibit Q.—No. 1003.

STATE OF TENNESSEE.

To all to whom these presents shall come, greeting:

Know ye, that by virtue of warrant No. 93, dated the 17th day of September, 1808, issued by the commissioners of West Ten-
[L. S.] nessee to Joseph Kerr, for 1854 acres, and entered on the 11th day of June, 1821, by No. 442. There is granted by the State of Tennessee unto the said Joseph Kerr and his heirs, a certain tract or parcel of land, containing one thousand eight hundred and fifty-four acres, by survey bearing date the 15th day of November, 1824, lying in the thirteenth district in Obion county, on the Mississippi river, and bounded as follows, to wit: Beginning on two small honey locusts, marked XV, the southeast corner of George W. L. Marr's 320 acre survey; thence west, with his line, eighty-one poles, to two sweet gums, marked XV, the northeast corner of George W. L. Marr's 214 acre survey; thence south, one hundred and sixty poles, to a sweet gum and walnut, marked XV, the southeast corner of said survey; thence west, with said Marr's south boundary, two hundred and ninety-three poles, to a mulberry marked XV, on the east boundary of said Marr's 200 acre survey; thence south, twenty-eight and a fourth poles, to a small box elder, with black oak, walnut, and sweet gum pointers, the southeast corner of said 200 acre survey; thence west, three hundred and forty poles, to an ash and elm, marked XV, the southwest corner of said survey, on the Mississippi river; thence south, two hundred eighty and a half poles, to a sweet gum, marked I. C., cotton-wood, and hackberry; thence east, seven hundred and fourteen poles, to a stake; thence north, five hundred seventy and three-fourth poles, to the beginning, with the hereditaments and appurtenances.

To have and to hold the said tract or parcel of land, with its appurtenances, to the said Joseph Kerr and his heirs forever.

In testimony whereof, Sam. Houston, governor of the State of Tennessee, hath hereunto set his hand and caused the great seal of the State to be affixed, at Nashville, on the 1st day of May, in the year of our Lord one thousand eight hundred and twenty-eight, and of the independence of America the 52d.

By the Governor, SAM. HOUSTON.

DANIEL GRAHAM, *Secretary.*

Joseph Kerr is entitled to the within described tract of land.

A. G. NELSON,
Register of the western district.

Recorded in the register's office of the western district, May the 17th, 1828.

A. G. NELSON,
Register of the western district.

Exhibits 1 *and* 2.—*No.* 421.

Edward Harris, by virtue of certificate No. 1,995, issued by the commissioners of West Tennessee, for 1000 acres, enters the same in the 13th district, in the Mississippi bottom, in the 7th and 8th sections of the 9th range: Beginning on the east boundary of Edward Thursby's 1900 acre entry, eighty poles north from his southeast corner, running east one hundred poles; thence south, three hundred and fifty-six poles; thence west, &c, for complement.

McLEMORE & VAULX, *Locators.*

May 26th, 1821.

No. 565.—*Scale* 200 *poles.*

STATE OF TENNESSEE,
Thirteenth district.

By virtue of an entry, No. 421, dated 26th May, 1821, founded on certificate warrant No. 1995, for 1000 acres, I have surveyed, for Edward Harris, six hundred twenty-nine and a half acres of land—the balance of said entry having been lost by the interference of grant No. 328, in the name of F. Miller for 4000 acres, and grant No. 82, in the name of Wycoff & Clark for 390 acres—situate in Obion county, in the Mississippi bottom, range 9, and sections 7 and 8: Beginning on a large sweet gum, marked I.C., the southeast corner of Edward Thursby's 1900 acre survey; running thence north, with his east boundary, eighty poles, to a hackberry, marked I. C., on a hackberry; thence east, seventy poles, to a stake, on the west boundary of F. Miller's 4000 acre survey; thence south 6° 30′ west, two hundred and twenty-six poles, to a small hickory, Wycoff & Clark's corner, on said Miller's line; thence north 83° 37′ west, two hundred and forty poles, to a sweet gum, marked I.C., and two hickory saplings, said Wycoff & Clark's northwest corner; thence south 6° 30′ west, with their west boundary, one hundred and sixty poles, to a stake; thence west, two hundred and twenty poles, to a stake; thence north, two hundred and seventy-six poles, to a stake on the south boundary of E. Thursby's 1900 acre survey; thence east, with his line, four hundred and thirty-three poles, to the beginning.

Surveyed November 29th, 1824.

JOHN CHARLTON, *D. Surveyor.*

WILLIAM B. SORRELLS, } *s. c. c.*
JAMES WARD, }

Exhibits 3 and 4.—No. 420.

Wheaton & Tisdale, by virtue of a duplicate Evans' warrant, issued by the board of commissioners to Thomas Evans for 2,000 acres; enters two thousand acres of land in the 13th district, in the Mississippi bottom; beginning on the bank of the Mississippi river, at the upper corner of Geo. W. L. Marr's 320 acre survey, and the corner of C. H. P. Marr's 50 acre survey; running east to the southeast corner of C. H. P. Marr's said survey; then north with his line, to McLemore & Vaulx's southwest corner of their 640 acre entry; then east to their southeast corner; then north to the south boundary of McLemore and Hopkins' 1,148 acre entry; thence east to their southeast corner; thence north with their line to J. Currin & Co's southwest corner; thence east with their line, &c., for complement, to join Edward Thursby's north boundary.

May 26th, 1821.

McLEMORE & VAULX, *Locators.*

No. 551.—Scale, 400 poles.

STATE OF TENNESSEE, *Thirteenth district.*

By virtue of an entry, No. 420, dated 26th May, 1821, founded on a duplicate Evans' warrant for 2,000 acres, I have surveyed for Wheaton and Tisdale two thousand acres of land, situate in Obion county, in the Mississippi bottom, range 9 and section 8; beginning on an ash and small elm, the northeast corner of George W. L. Marr's 320 acre survey, on the south boundary of Constant Hardin Marr's 50 acre survey; thence east, with his line, seventy-eight poles, to a stake, his corner; thence north with his line sixty poles, to a sweet gum marked M. V., McLemore and Vaulx's southwest corner; thence east, with their line, three hundred and sixty poles, to a sweet gum, their southeast corner; thence north, with their east boundary line, two hundred ninety-six and nine-tenth poles, to two elms, on the south boundary of McLemore and Hopkins' 1,148 acre survey; thence east, three poles, to a hackberry and elm, their southeast corner; thence north, with their line, one hundred and two poles, to a stake, Jonathan Currin and Co's corner; thence east, with said Currin's line, two hundred and thirty-five poles, to a stake; thence south, seven hundred and forty-three poles, to an ash, marked I. C., and elm, on the north boundary of Ed. Thursby's 1,900 acre survey; thence west, with his line, six hundred and seventy-three poles, to a hickory, marked I. C., his northwest corner, on the east boundary of G. W. L. Marr's 320 acre survey; thence north, with his line, two hundred and eighty-four poles, to the beginning.

Surveyed November 13th, 1824.

JNO. CHARLTON, *Dp'y Surveyor*

WILLIAM B. SORRELS and STEPHEN N. LINDSEY, } *s. c. c.*

Exhibits Nos. 5 *and* 6.—*No.* 306.

George W. L. Marr and Joseph H. Bryan, assignees of James Patterson, by virtue of certificate warrant No. 1667, issued by the commissioners of West Tennessee, for 5,000 acres, enter the same in the 13th district, on the Mississippi river; beginning nine miles west of a point twenty-eight poles south of the northwest corner of section 8, in range 7, running north nine hundred and eighty-eight poles; then west to the Mississippi river; thence down the meanders of the river for complement.

January 15th, 1821.

G. W. L. MARR, *Locator*.

Scale, 400 *poles per inch*.—*No.* 49.

STATE OF TENNESSEE, *Thirteenth district*.

By virtue of entry No. 306, dated the 15th of January, 1821, founded on certificate warrant No. 1667, issued by the board of commissioners for West Tennessee, to James Patterson, for 5,000 acres, and dated the 5th day of October, 1820, I have surveyed for George W. L. Marr and Joseph H. Bryan, assignees originally of James Patterson, five thousand acres of land, in Stewart county and thirteenth district, on the Mississippi river; beginning at a stake in a direct line between two hickory pointers, ten feet from the most western of them, which is marked XV, and the other marked I. H. B., nine miles west of a point twenty-eight poles south of the northwest corner of section 8, in range 7, running thence north, nine hundred and eighty-eight poles, to a small hickory and large ash, marked XV; thence west, nine hundred and forty-eight poles, to a stake on the bank of the Mississippi river; then down the river, as it meanders south 80° west, ninety-four poles; then south 4° east, one hundred and thirty-two poles; then south 39° east, two hundred and eighty-six poles; then south, one hundred and eighty poles; then south 14° east, one hundred poles; then south 28° east, one hundred and twenty-eight poles; then south 51° east, one hundred and seventy-two poles; then south 59½° east, one hundred and twenty-four poles, to three cotton woods on the river bank; then east, four hundred and sixty poles, to a hickory, sweet gum, and red beech, marked XV; then north, nine and one-tenth poles, to the beginning.

Surveyed, April the 4th, 1821.

EP. B. DAVIDSON, *Dp'y Surveyor*.

CHRIST. C. DAVIDSON and GEORGE DUNCAN, } *s. c. c.*

Exhibits Nos. 7 *and* 8.—*No.* 414.

John C. McLemore and James Vaulx, by virtue of certificate warrant No. 216, issued by the commissioners of West Tennessee, enter six hundred and forty acres of land, in the 13th district, in the Mississippi bottom, in the 8th section and the 9th range, beginning on the

Exhibits 3 and 4.—No. 420.

Wheaton & Tisdale, by virtue of a duplicate Evans' warrant, issued by the board of commissioners to Thomas Evans for 2,000 acres; enters two thousand acres of land in the 13th district, in the Mississippi bottom; beginning on the bank of the Mississippi river, at the upper corner of Geo. W. L. Marr's 320 acre survey, and the corner of C. H. P. Marr's 50 acre survey; running east to the southeast corner of C. H. P. Marr's said survey; then north with his line, to McLemore & Vaulx's southwest corner of their 640 acre entry; then east to their southeast corner; then north to the south boundary of McLemore and Hopkins' 1,148 acre entry; thence east to their southeast corner; thence north with their line to J. Currin & Co's southwest corner; thence east with their line, &c., for complement, to join Edward Thursby's north boundary.

May 26th, 1821.

McLEMORE & VAULX, *Locators.*

No. 551.—Scale, 400 poles.

STATE OF TENNESSEE, *Thirteenth district.*

By virtue of an entry, No. 420, dated 26th May, 1821, founded on a duplicate Evans' warrant for 2,000 acres, I have surveyed for Wheaton and Tisdale two thousand acres of land, situate in Obion county, in the Mississippi bottom, range 9 and section 8; beginning on an ash and small elm, the northeast corner of George W. L. Marr's 320 acre survey, on the south boundary of Constant Hardin Marr's 50 acre survey; thence east, with his line, seventy-eight poles, to a stake, his corner; thence north with his line sixty poles, to a sweet gum marked M. V., McLemore and Vaulx's southwest corner; thence east, with their line, three hundred and sixty poles, to a sweet gum, their southeast corner; thence north, with their east boundary line, two hundred ninety-six and nine-tenth poles, to two elms, on the south boundary of McLemore and Hopkins' 1,148 acre survey; thence east, three poles, to a hackberry and elm, their southeast corner; thence north, with their line, one hundred and two poles, to a stake, Jonathan Currin and Co's corner; thence east, with said Currin's line, two hundred and thirty-five poles, to a stake; thence south, seven hundred and forty-three poles, to an ash, marked I. C., and elm, on the north boundary of Ed. Thursby's 1,900 acre survey; thence west, with his line, six hundred and seventy-three poles, to a hickory, marked I. C., his northwest corner, on the east boundary of G. W. L. Marr's 320 acre survey; thence north, with his line, two hundred and eighty-four poles, to the beginning.

Surveyed November 13th, 1824.

JNO. CHARLTON, *Dp'y Surveyor*

WILLIAM B. SORRELS and } *s. c. c.*
STEPHEN N. LINDSEY, }

Exhibits Nos. 5 *and* 6.—*No.* 306.

George W. L. Marr and Joseph H. Bryan, assignees of James Patterson, by virtue of certificate warrant No. 1667, issued by the commissioners of West Tennessee, for 5,000 acres, enter the same in the 13th district, on the Mississippi river; beginning nine miles west of a point twenty-eight poles south of the northwest corner of section 8, in range 7, running north nine hundred and eighty-eight poles; then west to the Mississippi river; thence down the meanders of the river for complement.

January 15th, 1821.

G. W. L. MARR, *Locator*.

Scale, 400 *poles per inch*.—*No.* 49.

STATE OF TENNESSEE, *Thirteenth district*.

By virtue of entry No. 306, dated the 15th of January, 1821, founded on certificate warrant No. 1667, issued by the board of commissioners for West Tennessee, to James Patterson, for 5,000 acres, and dated the 5th day of October, 1820, I have surveyed for George W. L. Marr and Joseph H. Bryan, assignees originally of James Patterson, five thousand acres of land, in Stewart county and thirteenth district, on the Mississippi river; beginning at a stake in a direct line between two hickory pointers, ten feet from the most western of them, which is marked XV, and the other marked I. H. B., nine miles west of a point twenty-eight poles south of the northwest corner of section 8, in range 7, running thence north, nine hundred and eighty-eight poles, to a small hickory and large ash, marked XV; thence west, nine hundred and forty-eight poles, to a stake on the bank of the Mississippi river; then down the river, as it meanders south 80° west, ninety-four poles; then south 4° east, one hundred and thirty-two poles; then south 39° east, two hundred and eighty-six poles; then south, one hundred and eighty poles; then south 14° east, one hundred poles; then south 28° east, one hundred and twenty-eight poles; then south 51° east, one hundred and seventy-two poles; then south 59½° east, one hundred and twenty-four poles, to three cotton woods on the river bank; then east, four hundred and sixty poles, to a hickory, sweet gum, and red beech, marked XV; then north, nine and one-tenth poles, to the beginning.

Surveyed, April the 4th, 1821.

EP. B. DAVIDSON, *Dp'y Surveyor*.

CHRIST. C. DAVIDSON and GEORGE DUNCAN, } *s. c. c.*

Exhibits Nos. 7 *and* 8.—*No.* 414.

John C. McLemore and James Vaulx, by virtue of certificate warrant No. 216, issued by the commissioners of West Tennessee, enter six hundred and forty acres of land, in the 13th district, in the Mississippi bottom, in the 8th section and the 9th range, beginning on the

bank of the Mississippi river, at the northwest corner of C. H. P. Marr's 50 acre survey, running east with his line to his northeast corner; thence south, with his east boundary, eighty poles; thence east, nine hundred and sixty poles; then north, &c., for complement, bounding on said river on the west.

McLEMORE & VAULX,
Locators.

May 26th, 1821.

Scale 400 *poles.—No.* 390.

STATE OF TENNESSEE, *Thirteenth district.*

By virtue of an entry, No. 414, dated 26th May, 1821, founded on certificate 216, issued by the commissioners of West Tennessee, and dated the 30th March, 1809, to Reading Blount, for 640 acres, I have surveyed for John C. McLemore and James Vaulx six hundred and forty acres of land in Henry county, in the Mississippi bottom, in range 9 and section 8; beginning at a black haw bush on the bank of the Mississippi river, C. H. P. Marr's northwest corner of his 50 acre entry; thence east, with his line, ten poles, to an ash and elm, his northeast corner; thence south, with his east boundary eighty poles, to a sweet-gum, marked M.V.; thence east three hundred and sixty poles, to a sweet-gum; thence north, two hundred [and] ninety-six and nine-tenth poles, to two elms; thence west, three hundred and eighteen poles, to two cotton-woods on the bank of the Mississippi; thence south 25° east, 60 poles; thence south 18° west, one hundred and forty-two poles, to the beginning.

Surveyed the 4th July, 1823.

R. WILLIAMS,
D. Surveyor.

MATHEW PATE and DANIEL OWEN. } *s. c. c.*

Exhibits Nos. 9 *and* 10.—*No.* 417.

John C. McLemore and Thomas Hopkins, by virtue of certificate warrant No. 1802, issued by the board of commissioners of West Tennessee, enter eleven hundred and forty-eight acres of land, in the thirteenth district, in the Mississippi bottom, beginning on the bank of the Mississippi river, at the lower corner of McLemore and Lytle's 848 acres entry, running down the meanders of said river to the upper corner of McLemore and Vaulx's 640 acre entry; thence east and north, &c., for complement, joining the south boundary of Marr and Bryan's 2,500 acre survey, and the east and south boundary of said McLemore and Lytle's said entry.

McLEMORE & VAULX,
Locators.

May 26, 1821.

Scale, 400 *poles per inch.—No.* 423.

STATE OF TENNESSEE, *Thirteenth district.*

By virtue of an entry, No. 417, and dated 26th May, 1821, founded

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on certificate No. 1802, issued by the commissioners of West Tennessee to David Ross, for one thousand one hundred and forty-eight acres of land, dated 13th October, 1820, I have surveyed for John C. McLemore and Thomas Hopkins, one thousand one hundred and forty-eight acres of land, situate in Henry county, in range 9 and section 8, in the Mississippi bottom; beginning at two cotton woods on the bank of the Mississippi river, McLemore and Lytle's corner, south 60° east, sixty-four poles; then south 55° east, one hundred and six poles; thence south 60° east, forty poles; then south 50° east, one hundred and twenty poles; then south 35° east, one hundred and sixteen poles, to two cotton woods, McLemore and Vaulx's upper corner of their 640 acre survey; thence east, with their line, passing their corner, in all three hundred [and] twenty-one and seven-tenth poles to a hickory, hackberry, and elm; thence north, five hundred and sixty-eight poles, to a red beech, on the south boundary of Marr and Bryan's 2,500 acre survey; thence west, with their line, one hundred and sixty-one and seven-tenth poles, to a red oak, McLemore and Lytle's northeast corner; thence south, with their line, two hundred and forty-eight poles, to a box elder, their southeast corner; thence west, with their line, four hundred and ninety-six poles, to the beginning.

Surveyed 6th July, 1823.

RICE WILLIAMS,
D. Surveyor.

MATHEW PATE and DANIEL OWEN, } *s. c. c.*

Exhibits, numbers 11 *and* 12.—No. 418.

Jonathan Currin & Co., by virtue of military warrant No. 1,643, for 914 acres, enter nine hundred and fourteen acres of land in the thirteenth district, in the Mississippi bottom. Beginning at McLemore and Hopkins' northeast corner of their 1,148 acre entry; and on the south boundary of Marr and Bryan's 2,500 acre survey; running east with said Marr and Bryan's line, to their southeast corner, on John C. McLemore's west boundary of his 640 acre entry; then south, to his southwest corner; then east, with his line, two hundred and ten poles; then south, &c., for complement.

McLEMORE & VAULX,
Locators.

May 26th 1821.

No. 528.—Scale, 400 poles per inch.

STATE OF TENNESSEE, *Thirteenth district.*

By virtue of an entry, No. 418, dated May 26th, 1821, founded on military warrant No. 1,643, for 914 acres, I have surveyed for Jonathan Currin & Co., nine hundred and fourteen acres of land in Obion county, in the Mississippi bottom, range 9, and sections 8 and 9. Beginning on a red beech, the northeast corner of McLemore and Hopkins'

1,148 acre survey, on the south boundary of Marr and Bryan's 2,500 acre survey; running east with said Marr and Bryan's line, one hundred and thirty-three poles, to a hickory, marked XV, the southeast corner on John C. McLemore's west boundary of his 640 acre survey; thence south, with said McLemore's line, sixty-three poles, to a stake, his southwest corner; thence east, two hundred and ten poles, to a red oak, marked XV, and I. C., on said McLemore's south boundary; thence south, four hundred and three poles, to a stake; thence west, three hundred and forty-three poles, to a stake, on the east boundary of McLemore and Hopkins' 1,148 acres survey; thence north, with their line, four hundred and sixty-six poles, to the beginning.

Surveyed, November 12th, 1824.

JNO. CHARLTON,
D. Surveyor.

WILLIAM B. SORRELLS and STEPHEN N. LINDSEY, } *s. c. c.*

Exhibits, numbers 13 *and* 14.—No. 416.

William Lytle, jr., by virtue of 800 acres of certificate warrant No. 884, issued by the commissioners of West Tennessee for 848 acres, and John C. McLemore, by virtue of 48 acres of said warrant, enter 848 acres of land in the thirteenth district, in the Mississippi bottom. Beginning on the bank of the Mississippi river, at the lower corner of Marr & Bryan's 5,000 acre survey; running down said river with its meanders, three hundred and twenty poles; thence east, &c., north, &c., for complement, to adjoin said Marr & Bryan's 2,500 acre survey.

McLEMORE & VAULX,
Locators.

May 26th, 1821.

Scale 400 poles per inch.—No. 456.

STATE OF TENNESSEE, *Thirteenth district.*

By virtue of entry No. 416, dated the 26th day of May, 1821, founded on certificate No. 884, issued by the commissioners of West Tennessee for 848 acres, and dated 26th February, 1816, to John C. McLemore, Bennett Sercir, and Jesse Blackfaw. I have surveyed for William Lytle eight hundred acres, and for John C. McLemoreforty-eight acres, situate in Henry county, and in the Mississippi bottom, in range 9, and section 8. Beginning at two cotton woods, on the bank of the Mississippi, the lower corner of Marr and Bryan's 5,000 acre survey; thence down the river with its meanders, south 65° east, three hundred and twenty poles, to two cotton woods on the bank of the river; thence east, four hundred and ninety-two poles, to a box elder; thence north, two hundred and forty-eight poles, to a red oak, on the south boundary of Marr and Bryan's 2,500 acre entry; thence west, with their line, three hundred and fifty-two poles, to a cotton wood, their southwest corner, on the east boundary of said Marr and Bryan's 5,000 acre sur-

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vey; thence south, with their line, seventy-eight poles, to a red beech, their southeast corner; thence west, with their line, to the beginning.

Surveyed 2d July, 1823.

RICE WILLIAMS,
D. Surveyor.

JOHN PHELPS and DANIEL OWEN, } *s. c. c.*

UNITED STATES OF AMERICA, *to wit:*

I, James L. Talbot, clerk of the circuit court of the United States, in the 8th circuit, for the district of West Tennessee, do certify, that the foregoing 12 pages contain a correct and full exemplification of the records of said court, in the case of lessee of James Tisdale's heirs against Isaac Larman.

In faith whereof I hereto place my hand and affix the seal of said court. Done at [my] office, in the town of Jackson, the sixth day of November, in the year of our Lord one thousand eight hundred and forty-nine, and in the seventy-fourth year of the independence of the Republic.

[SEAL]

JAMES L. TALBOT.